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MGM Resorts International*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

DWIGHT MANLEY,

Plaintiff,

v.

MGM RESORTS INTERNATIONAL; MGM  
GRAND HOTEL, LLC,

Defendants.

MGM GRAND HOTEL, LLC, a Nevada  
limited liability company,

Counterclaimant,

v.

DWIGHT MANLEY, an individual,

Counter-Defendant.

Case No. 2:22-cv-01906-MMD-DJA

**STIPULATION AND ORDER TO  
EXTEND BRIEFING SCHEDULE ON  
PLAINTIFF'S MOTION TO COMPEL  
[ECF No. 35]**

**(Fourth Request)**

Pursuant to LR 7-1, LR IA 6-1, and LR IA 6-2, Plaintiff/Counterclaimant Dwight Manley ("Plaintiff"), Defendant/Counterclaimant MGM Grand Hotel, LLC and Defendant MGM Resorts International (together, "Defendants"), hereby submit this Stipulation to Extend Briefing Schedule

1 on Plaintiff's Motion to Compel (ECF #35). This is the parties' fourth request. As set forth below,  
2 the parties are close to determining whether they can resolve the instant dispute without further  
3 Court intervention. As such, the parties request an additional two (2) week extension of the  
4 briefing schedule.

5 1. On August 16, 2023, Plaintiff filed his Motion to Compel (the "Motion"). (ECF  
6 No. 35.) Specifically, Plaintiff moves to compel Defendants' responses to two (2) of his Requests  
7 for Production of Documents – Request Nos. 15 and 16. (*Id.*)

8 2. On August 23, 2023, the Court set a hearing on the Motion for September 26, 2023.  
9 (ECF No. 36.)

10 3. On September 1, 2023, the parties filed their first stipulation to extend the briefing  
11 schedule on Plaintiff's Motion and to continue the September 26, 2023 hearing. (ECF No. 37.)  
12 That same day, the Court granted the parties' stipulation and reset the hearing on Plaintiff's Motion  
13 for October 20, 2023 at 10:00 a.m. (ECF No. 39.)

14 4. On September 12, 2023, Defendants served a supplemental document production,  
15 as well as supplemental responses to Plaintiff's Requests for Production Nos. 15 and 16, which  
16 Defendants believe provide the information sought by Plaintiff.

17 5. On September 13, 2023, the parties filed their second stipulation to extend the  
18 briefing schedule on Plaintiff's Motion, which was subsequently granted by the Court. (ECF Nos.  
19 40-41.)

20 6. Thereafter, counsel for the parties continued their discussions regarding the instant  
21 discovery dispute. During those discussions, counsel for Defendants agreed to secure additional  
22 information concerning Plaintiff's Requests for Production Nos. 15 and 16. However, Defendants'  
23 access to internal documents and/or information was limited due to the cyberattack against  
24 MGMRI properties.

25 7. As such, on September 27, 2023, the parties filed their third stipulation to extend  
26 the briefing schedule on Plaintiff's Motion, which was subsequently granted by the Court. (ECF  
27 Nos. 42-43.) As a result of that stipulation, Defendants' Response is currently due on October 11,  
28 2023, and Plaintiff's Reply brief is due on October 28, 2023. (*Id.*) The Court also continued the

1 hearing on the Motion to November 13, 2023. (*Id.*)

2 8. Since that time, counsel for Defendant has received the additional information  
3 requested by Plaintiff's counsel. Defendants also intend to serve a supplemental disclosure, which  
4 they believe will resolve any remaining issues concerning Plaintiff's Requests for Production Nos.  
5 15 and 16.

6 9. Plaintiff's counsel is currently out of the office and will not have an opportunity to  
7 review Defendants' supplemental disclosures, or confer with his client, until next week. Thus, the  
8 parties hereby stipulate and agree to extend the deadline for Defendants' Response by two (2)  
9 weeks, up to and including October 25, 2023. The parties further stipulate and agree that  
10 Plaintiff's Reply brief shall be due on November 1, 2023, pursuant to LR 7-2.

11 10. Should the parties successfully resolve the discovery dispute regarding Plaintiff's  
12 Request for Production Nos. 15 and 16, they will promptly notify the Court of the same and  
13 request that the hearing be vacated.

14 This Stipulation is not made for the purpose of undue delay and is without prejudice to or  
15 waiver of any parties' rights and arguments with respect to the aforementioned Motion.

16 Dated this 10th day of October 2023.

Dated this 10th day of October 2023.

17 By: /s/ Jason D. Smith

By: /s/ Katie L. Cannata

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**IT IS SO ORDERED.**

  
United States Magistrate Judge

DATED: October 12, 2023